

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

ARROWOOD INDEMNITY COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:10-CV-02871-SO
	)	
THE LUBRIZOL CORPORATION,	)	JUDGE OLIVER
	)	
Defendant.	)	
	)	
v.	)	
	)	
UNITED STATES FIRE INSURANCE	)	
COMPANY	)	
	)	
Third Party Defendant	)	

**PLAINTIFF ARROWOOD INDEMNITY COMPANY'S  
MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 15, Plaintiff/Counter-Defendant Arrowood Indemnity Company ("Arrowood") respectfully request this Court grant it leave to file its First Amended Complaint. In support of this Motion, Arrowood states as follows:

1. In its May 16, 2011 Case Management Conference Order, this Court set a deadline of September 9, 2011 for the parties to amend the pleadings.
2. Arrowood timely seeks leave to file its First Amended Complaint which adds a count based upon a settlement agreement entered into by The Orion Capital Companies on behalf of Arrowood's predecessor in interest, and The Lubrizol Corporation, and clarifies the declaratory judgment declaration it is seeking for the Alleged New Amsterdam Policies by setting forth such declaration in two counts.
3. A copy of Arrowood's First Amended Complaint is attached hereto as Exhibit A.

4. Under Rule 15, leave to amend should freely be given when justice so requires.

Fed. R. Civ. P. 15(a)(2).

5. Other than Rule 26(a)(1) disclosures and an initial set of discovery issued to Lubrizol by Arrowood which has yet to be answered, no discovery has been conducted in this matter and no party will be prejudiced by the amendment.

WHEREFORE, Plaintiff/Counter-Defendant Arrowood Indemnity Company requests this Court grant it leave to file its First Amended Complaint and for such other and further relief as this Court deems just and proper.

Dated: September 9, 2011

Respectfully submitted,

By: /s/ Deborah C. Druley  
Deborah C. Druley  
SNR Denton US LLP  
One Metropolitan Square, Suite 3000  
St. Louis, Missouri 63102  
(314) 241-1800 - Telephone  
(314) 259-5959 - Facsimile  
deborah.druley@snrdenton.com

M. Keith Moskowitz  
SNR Denton US LLP  
233 S. Wacker Drive, Suite 7800  
Chicago, Illinois 60606  
(312) 876-8000 - Telephone  
(312) 876-7934 - Facsimile  
keith.moskowitz@snrdenton.com

David Ross (#0005203)  
Reminger Co., L.P.A.  
1400 Midland Building  
101 Prospect Avenue, West  
Cleveland, Ohio 44115  
(216) 687-1311 - Telephone  
(216) 687-1841 - Facsimile  
dross@reminger.com

*Attorneys for Plaintiff/Counter-Defendant  
Arrowood Indemnity Company*

**CERTIFICATE OF SERVICE**

This is to certify that on September 9, 2011, Arrowood Indemnity Company's Motion for Leave to File First Amended Complaint was filed electronically. Parties may access this filing through the Court's system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Deborah C. Druley

One of the Attorneys for Arrowood Indemnity Co.